

motivations led to the decisions to donate funds, which a number of individuals and entities made over the course of several months.” Final Report at 312. This conclusion is entirely consistent with the record evidence that the decision to deny the Hudson Casino application was made on the merits, by career civil servants of the Department of Interior, who received no pressure whatsoever to reach any particular result. *Hearings on the Department of Interior’s Denial of the Wisconsin Chippewa’s Casino Application, Before the House Committee on Government Reform and Oversight*, 105th Cong., 2d Sess. at v. 1, 205. (January 22, 1998) (statement of George Skibine).

Given the absence of evidence to support a prosecution theory, the Independent Counsel resorts to the device of using the mere temporal relationship between campaign contributions by various Indian tribes, and the events leading to the denial of the Hudson casino application, to insinuate in her Final Report that the lobbying effort to defeat the casino application was somehow corrupted. A notable example of this technique is found in the Final Report’s observation that although the evidence revealed virtually no contact between Mr. O’Connor and DNC Chairman Donald Fowler prior to late April 1995, the Pequot Indian tribe gave \$325,000 in reportable donations and \$250,000 in direct donor dollars in or about that time. Final Report at 141. In fact, Mr. O’Connor and his law firm did not represent the Pequot tribe, the tribe was not among the Hudson casino opponents who met with Chairman Fowler in late April 1995, and the portions of the Final Report disclosed to Mr. O’Connor offer no evidence that the Pequots were actively engaged in the opposition to the Hudson casino application.

In a similar vein, the Report observes that eight legislative proposals relating to Indian gaming were introduced in Congress during the time the Hudson casino application was pending. Final Report at 336. Yet, no evidence links the legislation with any aspect of the Hudson casino controversy, much less with any of the political contributions, and there is no indication that the